

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86492 of 2019

Arising Out of PS. Case No.-115 Year-2019 Thana- PRANPUR District- Katihar

Kaliya Devi Wife of Chandan Parihar Resident of Village - Khushahalpur,
P.S.- Pranpur, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah
For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 05-06-2020 The matter has been taken up through virtual court proceeding.

Heard learned counsels for the petitioner and the State.

The petitioner, who is languishing in custody since 31.05.2019, has preferred the present application for grant of bail in a case registered for the offences punishable under Sections 302 and 120B/34 of the IPC.

The prosecution case, as per the written report of Deep Mala Devi, submitted to the S.H.O., Pranpur Police Station is to the effect that on 29.05.2019, the husband of the informant, Sanjay Parihar was taken by co-accused Gulab Mohli, Satish Singh, Chandan Parihar and the petitioner Kaliya Devi. Subsequently, the informant came to know that her



husband has been killed and his dead body with injuries was recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that there is no eye-witness to the alleged occurrence and only on the basis of circumstantial nature of evidence, the petitioner has been roped in the present case. It is further submitted that the investigation has already been concluded and a statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the State submits that the specific case of the informant in the FIR is that the petitioner and other accused persons took the husband of the informant and subsequently, his dead body with injuries was recovered from the house of the petitioner.

Considering the fact there is specific accusation of taking away the informant's husband by all the accused persons including the petitioner and subsequently his dead body with injuries was recovered from the house of the petitioner, this Court is not inclined to grant bail to the petitioner for the present.

Accordingly, the prayer for bail of the petitioner, in connection with Prampur P.S. Case No. 115 of 2019, pending in



the Court of learned ACJM-1, Katihar, is rejected.

However, it is expected from the learned trial court to expedite the trial and conclude the same preferably within a period of nine months.

If the trial will not be concluded within a period of nine months, then the petitioner will be at liberty to renew her prayer for bail.

The application is dismissed.

(Dinesh Kumar Singh, J)

Amrendra/-

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